

NOTICE OF APPEAL FROM THE EXAMINER TO THE BOARD OF PATENT APPEALS AND INTERFERENCES (VIA EFS-WEB)		Docket Number (Optional) CL2000USPCT										
<p>I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 CFR 1.8(a)]</p> <p>on _____</p> <p>Signature_____</p> <p>Typed or printed name _____</p>												
<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td colspan="2" style="text-align: center; padding: 5px;">In re Application of RAJ G. RAJENDRAN</td> </tr> <tr> <td style="width: 50%;">Application Number 10/527043</td> <td style="width: 50%;">Filed September 12, 2003</td> </tr> <tr> <td style="width: 50%;">For MEMBRANES FOR FUEL CELLS</td> <td style="width: 50%;"></td> </tr> <tr> <td style="width: 50%;">Examiner ENIN-OKUT, EDU E</td> <td style="width: 50%;"></td> </tr> <tr> <td style="width: 50%;">Art Unit 1795</td> <td style="width: 50%;">Confirmation No. 6819</td> </tr> </table>			In re Application of RAJ G. RAJENDRAN		Application Number 10/527043	Filed September 12, 2003	For MEMBRANES FOR FUEL CELLS		Examiner ENIN-OKUT, EDU E		Art Unit 1795	Confirmation No. 6819
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<p>Applicant hereby appeals to the Board of Patent Appeals and Interferences from the last decision of the examiner.</p>												
<p>The fee for this Notice of Appeal is (37 CFR 41.20(b)(1)) \$ 540.00</p>												
<p><input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. Therefore, the fee shown above is reduced by half, and the resulting fee is: \$ _____</p> <p><input type="checkbox"/> A check in the amount of the fee is enclosed.</p> <p><input type="checkbox"/> Payment by credit card. Form PTO-2038 is attached.</p> <p><input type="checkbox"/> The Director has already been authorized to charge fees in this application to a Deposit Account.</p> <p><input checked="" type="checkbox"/> The Director is hereby authorized to charge any fees which may be required, or credit any overpayment to Deposit Account No. <u>04-1928</u>.</p> <p><input type="checkbox"/> A petition for an extension of time under 37 CFR 1.136(a) (PTO/SB/22) is enclosed.</p>												
<p>WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.</p>												
<p>I am the</p> <p><input type="checkbox"/> applicant/inventor. /Brian C. Jones/ Signature</p> <p><input type="checkbox"/> assignee of record of the entire interest. See 37 CFR 3.71. Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96) BRIAN C. JONES Typed or printed name</p> <p><input checked="" type="checkbox"/> attorney or agent of record. Registration number <u>37,857</u>. (302) 992-4601 Telephone number</p> <p><input type="checkbox"/> attorney or agent acting under 37 CFR 1.34. Registration number if acting under 37 CFR 1.34. JULY 6, 2009 Date</p>												
<p>NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below*.</p>												
<p><input type="checkbox"/> *Total of _____ forms are submitted.</p>												

PRE-APPEAL BRIEF REQUEST FOR REVIEW (VIA EFS-WEB)		Docket Number (Optional) CL2000USPCT
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	For MEMBRANES FOR FUEL CELLS	
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Applicant requests review of the final rejection in the above-identified application. No amendments are being filed with this request.

This request is being filed with a notice of appeal.

The review is requested for the reason(s) stated on the attached sheet(s).

Note: No more than five (5) pages may be provided.

With respect to the Examiner's remarks regarding methanol crossover, it is noted the Examiner is silent regarding the claimed power output, which is the opposite result than would be predicted from Banerjee. Moreover, In re Best is inapposite, and has nothing to do with a situation where operating temperatures are disclosed. In fact, Applicants have met the burden of proof called for in Best, and therefore the case supports patentability.

I am the

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|---|---|
| <input type="checkbox"/> applicant/inventor. | /Brian C. Jones/
Signature |
| <input type="checkbox"/> assignee of record of the entire interest.
See 37 CFR 3.71. Statement under 37 CFR 3.73(b) is enclosed.
(Form PTO/SB/96) | BRIAN C. JONES
Typed or printed name |
| <input checked="" type="checkbox"/> attorney or agent of record.
Registration number <u>37,857</u> | (302) 992-4601
Telephone number |
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Registration number if acting under 37 CFR 1.34 _____ | JULY 6, 2009
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<input type="checkbox"/>	*Total of _____ forms are submitted.
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